

April 15, 1987

LB 536, 642
LR 82-87

SENATOR LABEDZ: The committee amendments are adopted. We are now on the bill, or do we have another amendment? Mr. Clerk, has some things to read in.

CLERK: Madam President, I do. I have two Attorney General Opinions to be inserted in the record. (See pages 1706-07 regarding LB 335. The second Attorney General's Opinion appears on pages 1707-09 of the Legislative Journal.)

I have resolutions. Senator Moore offers LR 82, 83, 84, 85, 86 and 87, all congratulating certain communities for celebrating their centennial celebrations. Those will be laid over, Mr. President. (See pages 1709-14 of the Legislative Journal.)

And Senator Remmers has amendments to be printed to LB 642. (See page 1714 of the Legislative Journal.)

SENATOR LABEDZ: The call is raised. Senator Pirsch, we're now on LB 536 as amended by the committee amendments.

SENATOR PIRSCH: Thank you, Madam Chair...Madam President. LB 536 provides for a civil recovery of damages for the crime of shoplifting. Shoplifting is an ever increasing problem for our retail stores, from grocery, drug, clothing. No merchant is immune from this irresponsible behavior by some for which we all pay. You and I and our constituents pay in higher prices for articles, both to cover costs of merchandise and the costs of surveillance, prosecution and protection. LB 536 is an alternative to criminal prosecution which is now in our statutes. The criminal justice system was developed for actions of individuals that are held to be offensive to society in our state in general and where there is a need for punishment. Many times, because of overworked prosecuting attorneys and a heavy criminal court load, shoplifting or stealing, to be more precise and blunt, becomes bogged down in plea bargaining or dismissal. LB 536, as a civil action, will be less burdensome for our criminal court system, will eliminate the county attorney's time and serve the purpose of restitution, restitution from the offender, and placing the responsibility directly where it lays, on the offender. I would like to call your attention to the handout that was passed out to you which answers maybe some of the questions that you have. The monetary loss in Nebraska's merchants and ultimately to Nebraska's consumers has been estimated to be \$154 million annually. This does not include the cost of security measures or the cost to taxpayers for the